

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
EL PASO DIVISION**

LULAC, *et al.*,

Plaintiffs,

v.

GREG ABBOTT, in his official capacity as
Governor of Texas, *et al.*,

Defendants.

Case No.: 3:21-CV-00259-DCG-JES-JVB
[Lead Case]

ROY CHARLES BROOKS, *et al.*,

Plaintiffs,

v.

GREG ABBOTT, in his official capacity as
Governor of Texas, *et al.*,

Defendants.

Case No.1-21-CV-00991-DCG-JES-JVB
[Consolidated Case]

BROOKS PLAINTIFFS' FIRST AMENDED EXHIBIT LIST

Pursuant to Federal Rule of Civil Procedure 26(a)(3) and the Scheduling Order entered by the Court on December 17, 2021, the Brooks Plaintiffs provide the following First Amended Exhibit List. Exhibits 1-44 and 46-99 were previously filed with the Court as exhibits to Brooks Plaintiffs' motion for a preliminary injunction and reply in support of that motion. Exhibits 45 and 100-104 are exhibits from expert disclosures and discovery that occurred after Brooks Plaintiffs' initial Exhibit List was filed.

Exhibit No.	Description	Offered	Admitted
1	Declaration of Senator Kel Seliger (PI Motion Ex. 1)		
2	Declaration of Senator Beverly Powell (PI Motion Ex. 2)		

3	Sen. Powell Letter to Chair Huffman dated 10-30-2019 (PI Motion Ex. 2-A)		
4	Sen. Powell Letter to Chair Huffman dated 02-18-2020 (PI Motion Ex. 2-B)		
5	Materials to Chair Huffman (PI Motion Ex. 2-C)		
6	Declaration of Garry Jones (PI Motion Ex. 3)		
7	Map of ACS 2014-2018 5-Year Estimates (PI Motion Ex. 3-A)		
8	Sean Opperman Email re: Redistricting Dropbox Update dated 08-19-2021 (PI Motion Ex. 3-B)		
9	2018-2019 ACS Maps (PI Motion Ex. 3-C)		
10	2018-2019 ACS Racial Population Change Maps (PI Motion Ex. 3-D)		
11	Garry Jones Email to S. Opperman and A. Mackin re: Letter from Sen Powell to Sen Huffman dated 09-16-2021 (PI Motion Ex. 3-E)		
12	S. Opperman Reply Email, dated 09-17-2021 (PI Motion Ex.3-F)		
13	Full Senate Email re: Regarding concerns with proposed redraw of SD10 dated 09-18-2021 (PI Motion Ex. 3-G)		
14	Huffman Email Read Receipt (PI Motion Ex. 3-H)		
15	S. Opperman Email re: Map Release dated 09-18-2021 (PI Motion Ex. 3-I)		
16	Written Testimony re: 09-24-2021 Hearing (PI Motion Ex. 3-J)		
17	Powell Portal Submission, Part 1 (PI Motion Ex. 3-K, Part 1)		
18	Powell Portal Submission, Part 2 (PI Motion Ex. 3-K, Part 2)		
19	House Committee Email re: Concerns Regarding SB 4 and Proposed SD 10 dated 10-10-2021 (PI Motion Ex. 3-L)		
20	Full House Email re: Concerns regarding SB4 and proposed redraw of SD10 dated 10-14-2021 (PI Motion Ex. 3-M)		
21	Texas Demographic Center Report SD10 (PI Motion Ex. 3-N)		
22	Declaration of Eric Richard "Rick" Svatora (PI Motion Ex. 4)		
23	Svatora Notes (PI Motion Ex. 4-A)		
24	Declaration of Representative Chris Turner (PI Motion Ex. 5)		
25	Declaration of Mark P. Gaber (PI Motion Ex. 6)		
26	Mackin Exhibit Objections Email (PI Motion Ex. 6-A)		
27	Perez Racial Shading Exhibits, Part 1 (PI Motion Ex. 6-B, Part 1)		
28	Perez Racial Shading Exhibits, Part 2 (PI Motion Ex. 6-B, Part 2)		

29	Perez Racial Shading Exhibits, Part 3 (PI Motion Ex. 6-B, Part 3)		
30	Perez Racial Shading Exhibits, Part 4 (PI Motion Ex. 6-B, Part 4)		
31	Perez Racial Shading Exhibits, Part 5 (PI Motion Ex. 6-B, Part 5)		
32	Mackin Email dated 07-14-2021 (PI Motion Ex. 6-C)		
33	Gov. Abbott Letter to Sen. Keliger and Rep. Darby dated 04-18-2013 (PI Motion Ex. 6-D)		
34	Senate Redistricting Hearing Transcript (04-18-2013) (PI Motion Ex. 6-E)		
35	Senate Redistricting Hearing Transcript, Part 1 (05-30-2013) (PI Motion Ex. 6-F, Part 1)		
36	Senate Redistricting Hearing Transcript, Part 2 (05-30-2013) (PI Motion Ex. 6-F, Part 2)		
37	Senate Journal, 06-14-2013, 2 nd day continued, Addendum (PI Motion Ex. 6-G)		
38	Senate Journal, 06-14-2013, 3 rd day (PI Motion Ex. 6-H)		
39	Senate Journal, 10-04-21, 3 rd day (PI Motion Ex. 6-I)		
40	Senate Journal, 10-04-21, 4 th day (PI Motion Ex. 6-J)		
41	Senate Journal, 10-04-21, 4 th day Addendum (PI Motion Ex. 6-K)		
42	House Journal, 10-15-21, 6 th day continued (PI Motion Ex. 6-L)		
43	House Journal, 10-15-21, 7 th day (PI Motion Ex. 6-M)		
44	Report by Dr. Matt Barreto (PI Motion Ex. 7)		
45	Report by Dr. Jeronimo Cortina		
46	Declaration of Roy Charles Brooks (PI Motion Ex. 8)		
47	Declaration of Felipe Gutierrez (PI Motion Ex. 9)		
48	Declaration of Phyllis Goines (PI Motion Ex. 10)		
49	Declaration of Eva Bonilla (PI Motion Ex. 11)		
50	Declaration of Clara Faulkner (PI Motion Ex. 12)		
51	Declaration of Deborah Spell (PI Motion Ex. 13)		
52	Senate Redistricting Hearing Transcript (09-24-2021) (PI Motion Ex. 14)		
53	Senate Redistricting Hearing Transcript (09-25-2021) (PI Motion Ex. 15)		
54	Senate Redistricting Hearing Transcript (09-28-2021) ((PI Motion Ex. 16)		
55	Benchmark Plan Deviation Map ((PI Motion Ex. 17)		
56	Plan S2168 Map ((PI Motion Ex. 18)		
57	Plan S2168 Population Analysis (PI Motion Ex. 19)		
58	Plan S2168 District Population and VAP (PI Motion Ex. 20)		
59	Plan S2168 Incumbents by District (PI Motion Ex. 21)		
60	Plan S2168 ACS ((PI Motion Ex. 22)		

61	Plan S2168 2018 Election (PI Motion Ex. 23)		
62	Plan S2168 20 Election (PI Motion Ex. 24)		
63	Plan S2100 Benchmark Map (PI Motion Ex. 25)		
64	Plan S2100 District Population VAP (PI Motion Ex. 26)		
65	Plan S2100 ACS (PI Motion Ex. 27)		
66	Dallas/Fort Worth Hispanic VAP Benchmark Plan (PI Motion Ex. 28)		
67	Dallas/Fort Worth Hispanic VAP Plan S2168 ((PI Motion Ex. 29)		
68	Dallas/Fort Worth Black VAP Benchmark (PI Motion Ex. 30)		
69	Dallas/Fort-Worth Black VAP Plan S2168 (PI Motion Ex. 31)		
70	Alternative Plan 1 Maps (PI Motion Ex. 32)		
71	Alternative Plan 1 Population Data (PI Motion Ex. 33)		
72	Alternative Plan 1 ACS Data (PI Motion Ex. 34)		
73	Alternative Plan 1 2018 Election Data (PI Motion Ex. 35)		
74	Alternative Plan 1 2020 Election Data (PI Motion Ex. 36)		
75	Alternative Plan 1 Incumbents by District PI Motion Ex. 37)		
76	Alternative Plan 2 Maps (PI Motion Ex. 38)		
77	Alternative Plan 2 Population (PI Motion Ex. 39)		
78	Alternative Plan 2 ACS Data (PI Motion Ex. 40)		
79	Alternative Plan 2 2018 Election Data (PI Motion Ex. 41)		
80	Alternative Plan 2 2020 Election Data (PI Motion Ex. 42)		
81	Alternative Plan 2 Incumbents by District (PI Motion Ex. 43)		
82	Declaration of Matt Barreto (PI Reply Motion Ex. 44)		
83	Plan S2168 and S2100 Population Overlap Report (PI Reply Motion Ex. 45)		
84	Alternative Plan 3 Maps (PI Reply Motion Ex. 46)		
85	Alternative Plan 3 Population Data (PI Reply Motion Ex. 47)		
86	Alternative Plan 3 ACS Data (PI Reply Motion Ex. 48)		
87	Alternative Plan 3 2018 Election Data (PI Reply Motion Ex. 49)		
88	Alternative Plan 3 2020 Election Data (PI Reply Motion Ex. 50)		
89	Alternative Plan 3 Incumbents by District (PI Reply Motion Ex. 51)		
90	Alternative Plan 3 Population Overlap with Plan S2168 (PI Reply Motion Ex. 52)		
91	Alternative Plan 3 Population Overlap with Plan S2100 (PI Reply Motion Ex. 53)		
92	Alternative Plan 4 Maps (PI Reply Motion Ex. 54)		
93	Alternative Plan 4 Population Data (PI Reply Motion Ex. 55)		
94	Alternative Plan 4 ACS Data (PI Reply Motion Ex. 56)		

95	Alternative Plan 4 2018 Election Data (PI Reply Motion Ex. 57)		
96	Alternative Plan 4 2020 Election Data (PI Reply Motion Ex. 58)		
97	Alternative Plan 4 Incumbents by District (PI Reply Motion Ex. 59)		
98	Alternative Plan 4 Population Overlap with Plan S2168 (PI Reply Motion Ex. 60)		
99	Alternative Plan 4 Population Overlap with Plan S2100 (PI Reply Motion Ex. 61)		
100	Rebuttal Report of Dr. Barreto		
101	Rebuttal Report of Dr. Cortina		
102	Text Messages of Lt. Governor Dan Patrick, Kevin Sparks, et al.		
103	Senate Plan Comments of James Beauchamp/MOTRAN		
104	Texas Demographic Center Presentation to Senate Select Redistricting Committee (Oct. 29, 2019)		

The Brooks Plaintiffs reserve the right to use or offer any and all exhibits disclosed by any party in this case. The Brooks Plaintiffs reserve the right to use and offer into evidence impeachment and rebuttal exhibits, as necessary. The Brooks Plaintiffs reserve the right to amend and/or supplement this Exhibit List at any time in the future.

January 24, 2022

Respectfully submitted,

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*Admitted *pro hac vice*

Counsel for Plaintiffs

CERTIFICATE OF SERVICE

I certify that all counsel of record were served a copy of the foregoing this 24th day of January, 2022, via the Court's CM/ECF system.

/s/ Mark P. Gaber
Mark P. Gaber